



TOWN OF LOS GATOS
PLANNING COMMISSION MEETING
ACTION MINUTES
TOWN COUNCIL CHAMBERS
110 E. MAIN STREET
WEDNESDAY, SEPTEMBER 13, 2006 -- 7:00 P.M.

Due to a problem with the audio at this meeting, there is no CD available of the proceedings. FTR log notes are available.

ROLL CALL:

Present: Phil Micciche, Chair; John Bourgeois, D. Michael Kane, Thomas O'Donnell, Lee Quintana and Stephen M. Rice

Absent: Joanne Talesfore (left meeting due to illness)

Others: Community Development Director Bud Lortz, Assistant Community Development Director Randy Tsuda, Associate Planner Suzanne Davis, Associate Civil Engineer Fletcher Parsons, Town Engineer Kevin Rohani and Town Attorney Orry Korb

VERBAL COMMUNICATION

Ray Davis Commented on how the Chair conducts meetings.

APPROVAL OF MINUTES

August 23, 2006 - Motion by Commissioner O'Donnell and seconded by Commissioner Rice to approve the meeting minutes. Passed unanimously.

SUB-COMMITTEE REPORTS

Historic Preservation Committee - Commissioner Kane reported on September 6 meeting where four applications were approved. Also commented that October is Historic House month and there will be a walking tour lead by museum docents of historic sites September 28-29, 2006. Historic Homes tour is the end of October.

General Plan Committee - Commissioner Bourgeois commented on the Residential Design Guidelines and North 40 Specific Plan.

Conceptual Development Advisory Committee - Commissioner Rice commented on the two projects on the agenda: Swanson Ford site at Blossom Hill Rd. & Los Gatos Blvd. and a proposed residential project at 615 Blossom Hill Rd.

CONSENT CALENDAR - NONE

Commissioner Rice recused from hearing Item #1 as his parents own property adjacent to the site.

CONTINUED PUBLIC HEARING

ITEM 1 **Cypress Way**
Architecture and Site Application S-06-042
Variance Application V-06-01
Negative Declaration ND-07-01

Requesting approval to construct a new single family residence and to reduce the side and rear yard setbacks on property zoned HR-2½. No significant environmental impacts have been identified and a Mitigated Negative Declaration is recommended. APN 532-26-091.

PROPERTY OWNER: Randy and Ladonna Batterson

APPLICANT: Tom Sloan

(Continued from August 9, 2006)

PUBLIC TESTIMONY by Tom Sloan, Claire Rice and Ray Davis.

MOTION: Motion by Commissioner Bourgeois and seconded by Commissioner O'Donnell to approve Architecture and Site Application S-06-042, Variance Application V-06-01 and Negative Declaration ND-07-01. The required findings were made as noted in Exhibit D of the report dated September 7, 2006 and the application incorporated the conditions as noted in Exhibit E of the report dated September 7, 2006 with the following changes:

10. LANDSCAPE SCREENING. Landscaping shall be planted along the property frontage to screen the new residence from the road. **The applicant shall work with the uphill neighbor (Rice) to replace trees and provide screening along the rear of the house. Planting may also be done on the neighbor's property with their consent. The landscape plan shall be approved by Planning prior to issuance of a building permit.**
16. ROOF FINISH. **The applicant shall provide a sample of the metal roofing for approval by Planning, prior to issuance of a building permit. The roofing material shall have a matte finish to minimize reflectivity and shall be a dark earthtone color.**

Motion carried 4-1-2 with Commissioner Quintana dissenting, Commissioner Rice recused and Commissioner Talesfore left the meeting due to illness.

Appeal rights recited by Mr. Korb.

NEW PUBLIC HEARINGS

ITEM 2 **15700 Kennedy Road**
Architecture and Site Application S-06-035
Conditional Use Permit Application U-06-19
Subdivision Application M-07-06
Negative Declaration ND-06-5

Requesting approval of a 3 lot subdivision and to construct a single-family residence and caretakers unit on property zoned HR-2 1/2. No significant environmental impacts have been identified as a result of this project and a Mitigated Negative Declaration has been recommended. APN 537-14-008 and 009

PROPERTY OWNER: Frank Dorsa
APPLICANT: Terry Martin Associates

PUBLIC TESTIMONY by Henry Hancock, Duino Giordano, Ray Davis, Jack Farone, Terry Martin and Frank Dorsa.

MOTION: Motion by Commissioner Kane and seconded by Commissioner Rice to approve Architecture and Site Application S-06-035, Conditional Use Permit Application U-06-19 and Negative Declaration ND-06-5 without approval for the Subdivision Application M-07-06. The required findings were made as noted in Exhibit A of report dated September 7, 2006 and the application incorporated the conditions at noted in Exhibit B of report dated September 7, 2006 with the following changes:

15. **SUBDIVISION: The Subdivision application is not approved.**
16. **CARETAKERS UNITS: Two caretaker's units are permitted as long as the agricultural uses continue on the property. The approved plans shall be modified to reduce the size of Unit A to a roughly 900 square feet to the satisfaction of the Director of Community Development.**

Motion carried 5-1-1 with Commissioner Quintana dissenting and Commissioner Talesfore excused.

Appeal rights recited by Mr. Korb.

ITEM 3 **15350 Suview Drive**
Architecture and Site Application S-06-066

Requesting approval to modify an approved Architecture & Site application relating to grading and landscape improvements on property zoned HR-2½. APN 537-24-013

PROPERTY OWNER/APPLICANT: Charles Hackett

PUBLIC TESTIMONY by Alex Gorovitz and Charles Hackett.

MOTION: Motion by Commissioner Rice and seconded by Commissioner Kane to deny Architecture and Site Application S-06-066.

Motion carried 4-1-1 with Commissioner Micciche dissenting and Commissioner Talesfore excused.

Appeal rights recited by Mr. Korb

ITEM 4 **Kennedy Road @ Forrester Road**
Planned Development Application PD-06-03
Negative Declaration ND-07-04

Requesting approval of a Planned Development to construct a new residence, pool, tennis court and accessory structures on property zoned HR-2½. No significant environmental impacts have been identified as a result of this project and a Mitigated Negative Declaration has been recommended. APNS 537-29-007 & 008.

PROPERTY OWNER: Acorn Trust

APPLICANT: Rob DeSantis

PUBLIC TESTIMONY by Rob DeSantis, Richard Landry, Henry Hancock, John Farone and Ray Davis.

MOTION: Motion by Commissioner Kane and seconded by Commissioner Quintana to recommend that the Town Council deny the application.

Motion carried 4-2-1 with Commissioners Micciche and Rice dissenting and Commissioner Talesfore excused.

CONTINUED OTHER BUSINESS - NONE

NEW OTHER BUSINESS

Report from Director of Community Development - None

Commission Matters - Commissioner Kane provided a suggested procedure for oral sub-committee reports.

ADJOURNMENT

Chair Micciche adjourned the meeting at approximately 11:00 P.M.

TOWN OF LOS GATOS PLANNING COMMISSION
September 13, 2006

Phil Micciche, Chair

APPROVED AS TO FORM AND ATTEST:

Randy Tsuda
Assistant Director of Community
Development

Bud N. Lortz
Director of Community Development